

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEUTSCHE BANK TRUST COMPANY
AMERICAS, in its capacity as successor
indenture trustee for certain series of Senior
Notes, *et al.*,

Plaintiffs,

: No. 11 Civ. 4784 (RJH)

vs.

ADALY OPPORTUNITY FUND TD
SECURITIES INC. C/O ADALY
INVESTMENT MANAGEMENT CO., *et al.*,

Defendants.

: AFFIDAVIT OF SERVICE

-----x



Clerk of Court's Office
P.O. Box 495
George Town
Grand Cayman
Cayman Islands
B.W.I.

F.P. # 88/11

AFFIDAVIT OF SERVICE

I, Velma Powery-Hewitt of George Town, Grand Cayman, affirm and say as follows:

1. I am the Bailiff of the Grand Court of the Cayman Islands.
2. Tuesday the 1st of Nov 2011, at 4:40 hrs. I served the following documents, namely:
SEE LIST

LEEDS MANAGEMENT SERVICES (CAYMAN) LTD

On the registered office of _____
24 WATERFRONT CENTER, NORTH CHURCH STREET, GRAND CAYMAN
Located at _____
CAYMAN ISLANDS

SHERRY JOHAL, COMPLIANCE OFFICER

By handing the said documents to _____
DUNDEE LEEDS MGMT SERVICE, GRAND CAYMAN, CAYMAN ISLANDS
At _____

3. The above statements made by me are true and correct.


BAILIFF OF THE GRAND COURT

Affirm to before me on Wednesday, the 2nd day of Nov 2011.


NOTARY PUBLIC GEORGE TOWN
GRAND CAYMAN, CAYMAN ISLANDS

CERTIFICATE
ATTESTATION

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

- 1) that the document has been served *

1) que la demande a été exécutée

- the (date) — le (date) TUESDAY November 1st 2011
- at (place, street, number) - à (localité, rue, numéro)

WATERFRONT CENTER, CAYMAN ISLANDS

- In one of the following methods authorized by article 5:
- dans une des formes suivantes prévues à l'article 5:

- (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*.
a) selon les formes légales (article 5, alinéa premier, lettre a)
- (b) in accordance with the following particular method:
b) selon la forme particulière suivante: _____
- (c) by delivery to the addressee, who accepted it voluntarily.*
c) par remise simple.

The documents referred to in the request have been delivered to:
Les documents mentionnés dans la demande ont été remis à:

- (Identity and description of person)
- (Identité et qualité de la personne)

SHERYL JOHAL

- relationship to the addressee family, business or other
- liens de parenté de subordination ou autres avec le destinataire de l'acte:

COMPLIANCE OFFICER

- 2) that the document has not been served, by reason of the following facts*;
2) que la demande n'a pas été exécutée, en raison des faits suivants:

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

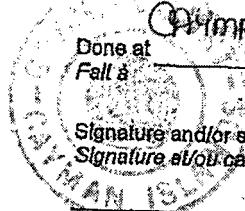
ANNEXES

Annexes

Documents returned:
Pièces renvoyées

In appropriate cases, documents establishing the service:
Le cas échéant, les documents justificatifs de l'exécution:

SEE LIST



Done at
Fall a _____, the 2 Nov. 2011,
Signature and/or stamp
Signature et/ou cachet

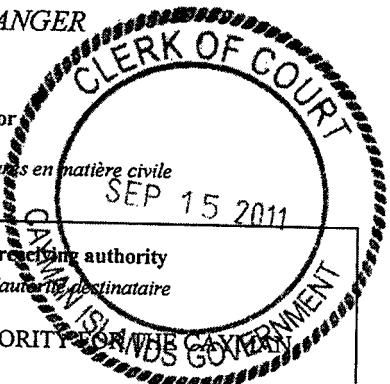
J.W.

REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS
DEMANDE

AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ÉTRANGER
D'UN ACTE JUDICIARE OU EXTRAJUDICIAIRE

FP-088/2011
Convention on the service abroad of judicial and extrajudicial documents in civil or
commercial matters, signed at The Hague, November 15, 1965.

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile
ou commerciale, signée à La Haye, le 15 Novembre 1965.



Identity and address of the applicant
Identité et adresse du requérant

Karina Shreefer, Esq.
LEGAL LANGUAGE SERVICES
8014 State Line Road, Suite 110
Leawood, Kansas 66208
UNITED STATES OF AMERICA
Tel. 1.913.341.3167

Address of receiving authority
Adresse de l'autorité destinataire

HAGUE CENTRAL AUTHORITY FOR THE GOVERNMENT
ISLANDS
Courthouse
Clerk of the Courts
Georgetown
Grand Cayman
CAYMAN ISLANDS

The undersigned applicant has the honour to transmit—in duplicate—the document listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,
(identity and address)

Le requérant soussigné a l'honneur de faire parvenir—en double exemplaire—à l'autorité destinataire les documents ci-dessous énumérés,
en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savoir:
(identité et adresse) LEEDS MANAGEMENT SERVICES (CAYMAN) LTD.

Waterfront Centre, 2nd Floor, 28 North Church Street, P.O. Box 2506 GT, Georgetown, Grand Cayman KY1-1104
CAYMAN ISLANDS

- (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
(a) selon les formes légales (article 5, alinéa premier, lettre a).
 (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
(b) selon la forme particulière suivante (article 5, alinéa premier, lettre b): Personal (in-hand) service by a Judicial Officer in accordance with your internal law for service of documents upon persons or entities in your territory.
Check for services of Judicial Officer attached.
- (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*;
(c) le cas échéant, par remise simple (article 5, alinéa 2).

The authority is requested to return or to have returned to the applicant a copy of the documents—and of the annexes*—with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte—et de ses annexes—with l'attestation figurant au verso.

THE PERSONS AND ENTITIES WITHIN THE UNITED STATES COMPETENT TO FORWARD SERVICE REQUESTS PURSUANT TO ARTICLE 3 INCLUDE ANY COURT OFFICIAL; ANY ATTORNEY; OR ANY OTHER PERSON OR ENTITY AUTHORIZED BY THE RULES OF THE COURT. (See U.S. declarations to the 1965 Convention at the Hague Conference website: http://www.hcch.net/index_en.php?act=authorities.details&aid=279)

List of documents
Enumération des pièces

- Executed "Request," in duplicate
"Certificate" (unexecuted), in duplicate
"Summary," in duplicate
"Notice," in duplicate
Summons in a Civil Action, with Attachments, in duplicate
Amended Complaint with Exhibits A-C, in duplicate
Electronic Case Filing Rules & Instructions, in duplicate
Individual Practices of Judge Richard J. Holwell, in duplicate

Done at Leawood, Kansas, U.S.A., the 13 Sept. 2011

Fait à _____, le _____

Signature and/or stamp.

Signature et/ou cachet.

Karina Shreefer

(Formerly OBD-116 which was formerly LAA-116,
both of which may still be used)

*Delete if inappropriate
Rayer les mentions inutiles.

**CERTIFICATE
ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1) that the document has been served *

1. que la demande a été exécutée

- the (date)
- le (date) _____
- at (place, street, number)
- à (localité, rue numéro) _____

- in one of the following methods authorised by article 5-

-dans une des formes suivantes prévues à l'article 5:

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*.

a) selon les formes légales (article 5, alinéa premier, lettre a).

(b) in accordance with the following particular method*:

b) selon la forme particulière suivante : _____

(c) by delivery to the addressee, who accepted it voluntarily.*

c) par remise simple

The documents referred to in the request have been delivered to:

Les documents mentionnés dans la demande ont été remis à:

-(identity and description of person)

-(identité et qualité de la personne) _____

-relationship to the addressee (family, business, or other):

-liens de parenté, de subordination ou autres, avec le destinataire de l'acte: _____

2) that the document has not been served, by reason of the following facts*;

2. que la demande n'a pas été exécutée, en raison des faits suivants:

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*.

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

Annexes

Annexes

Documents returned:

Pièces renvoyées:

Done at _____, the _____,
Fait à _____, le _____

Signature and / or stamp.
Signature et / ou cachet.

*Delete if inappropriate.
Rayer les mentions inutiles.

SUMMARY OF THE DOCUMENT TO BE SERVED
ELEMENTS ESSENTIELS DE L'ACTE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

Convention relative à la signification et à la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 Novembre 1965.

(article 5, fourth paragraph)
(article 5, alinéa 4)

Name and address of the requesting authority: Karina Shreefer, Esq.

Nom et adresse de l'autorité requérante : LEGAL LANGUAGE SERVICES

8014 State Line Road, Suite 110, Leawood, Kansas 66208, U.S.A.

Tel. 1.913.341.3167

Particulars of the parties*:

Identité des parties : DEUTSCHE BANK TRUST COMPANY AMERICAS, in its capacity as successor indenture trustee for certain series of Senior Notes, LAW DEBENTURE TRUST COMPANY OF NEW YORK, in its capacity as successor indenture trustee for certain series of Senior Notes, and WILMINGTON TRUST COMPANY in its capacity as successor indenture trustee for the PHONES Notes, Plaintiffs
ADALY OPPORTUNITY FUND TD SECURITIES INC, in care of ADALY INVESTMENT MANAGEMENT CO., et al., Defendants

JUDICIAL DOCUMENT**
ACTE JUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte : To give notice to the Defendant of the commencement of a civil claim against it and to summon it to answer or otherwise respond.

Nature and purpose of the proceedings and, where appropriate, the amount in dispute:

Nature et objet de l'instance, le cas échéant, le montant du litige : A civil action has been commenced against the Defendant.

Date and place for entering appearance**:

Date et lieu de la comparution : Within twenty-one (21) days after service of the summons (not counting day the of receipt), Defendant must serve on the Plaintiff's Attorney (Friedman Kaplan Seiler & Adelman LLP) an answer to the attached Amended Complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. Defendant also must file its answer or motion with the United States District Court, Southern District of New York, located at: 500 Pearl Street, New York, New York 10007, U.S.A.

Court which has given judgment**:

Juridiction qui a rendu la décision : N/A

Date of judgment**:

Date de la décision : N/A

Time limits stated in the document**:

Indication des délais figurant dans l'acte: Within twenty-one (21) days after service of the summons (not counting the day of receipt), Defendant must serve on the Plaintiff's Attorney (Friedman Kaplan Seiler & Adelman LLP) an answer to the attached Amended Complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. If Defendant fails to respond, judgment by default will be entered against it for the relief demanded in the Amended Complaint. Defendant also must file its answer or motion with the Court.

EXRAJUDICIAL DOCUMENT**
ACTE EXRAJUDICIAIRE

Nature and purpose of the document:

Nature et objet de l'acte : N/A

Time limits stated in the document**:

Indication des délais figurant dans l'acte : N/A

* If appropriate, identity and address of the person interested in the transmission of the document.
S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte.

** Delete if inappropriate.

Rayer les mentions inutiles.

NOTICE

(recommended by the Fourteenth Session of
Hague Conference of October, 1980)

identité et adresse du destinataire
identity and address of the addressee

LEEDS MANAGEMENT SERVICES (CAYMAN) LTD.
Waterfront Centre
2nd Floor
28 North Church Street
P.O. Box 2506 GT
Georgetown
Grand Cayman KY1-1104
CAYMAN ISLANDS

TRÈS IMPORTANT

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES "ÉLÉMENTS ESSENTIELS DE L'ACTE" VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET. IL EST TOUTEFOIS INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MÊME DU DOCUMENT. IL PEUT ÊTRE NÉCESSAIRE DE DEMANDER UN AVIS JURIDIQUE.

SI VOS RESSOURCES SONT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITÉ D'OBTENIR L'ASSISTANCE JUDICIAIRE ET LA CONSULTATION JURIDIQUE SOIT DANS VOTRE PAYS SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT.

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITÉS D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE DU DOCUMENT PEUVENT ÊTRE ADRESSÉES :

Legal Services for New York City
350 Broadway
New York, New York 10013
U.S.A.
Tel. 1.212.431.7200

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE "SUMMARY OF THE DOCUMENT TO BE SERVED" WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD, HOWEVER, READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

Legal Services for New York City
350 Broadway
New York, New York 10013
U.S.A.
Tel. 1.212.431.7200